

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
05-00653

First Named Inventor: Whitehurst et al.

International (PCT) Application No.: **PCT/US2004/042711**

U.S. Application No.:

Filed: **12/17/2004**Title: **Skull-Mounted Electrical Stimulation System and Method for Treating Patients**Attention: PCT Legal Staff
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity - fee _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee **\$1,500.00** (37 CFR 1.17(m))

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0648**. A duplicate copy of this sheet is enclosed.
2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of a copy of the international application, Declaration and Power of Attorney, information disclosure statement, the basic national fee, the search fee, the examination fee, and a transmittal (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/11/2006 ATRAH1 00000063 500648 10585233

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

June 30, 2006

Date

Laura H. Bishop

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Enclosures: ☐ Response☒ Fee Payment☐ Terminal Disclaimer☒ Other (please identify):

- Copy of the international application, including Search Report
- Declaration and Power of Attorney (35 U.S.C. 371(c)(4) and 37C.F.R. 1.497)
- Information Disclosure Statement
- The basic national fee (37 C.F.R. 1.492(a))
- The search fee (37 C.F.R. 1.492(b))
- The examination fee (37 C.F.R. 1.492(c))
- Transmittal letter (in duplicate)